IN THE DISTRICT COURT OF THE VIRGIN ISLANDS DIVISION OF ST. CROIX

LORETTA S. BELARDO, ANGELA TUITT-)
SMITH, BERNARD A. SMITH, YVETTE)
ROSS-EDWARDS, AVON CANNONIER,)
ANASTASIA M. DOWARD, DARYL)
RICHARDS, EVERTON BRADSHAW,)
RODELIQUE WILLIAMS-BRADSHAW,)
PAMELA GREENIDGE and WINSTON) 2018-CV-8
GREENIDGE, on behalf of themselves and all)
others similarly situated,) CLASS ACTION
Plaintiffs,)
)
V.)
)
BANK OF NOVA SCOTIA,)
Defendant.)
)

PLAINTIFFS' MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT

Plaintiffs respectfully bring this Motion for Leave to File their Second Amended Complaint ("SAC"). They previously moved for leave on January 4, 2019. (*See* ECF No. 29.) The Bank of Nova Scotia ("BNS") filed its opposition (ECF No. 36) on January 18, 2019, to which Plaintiffs filed a reply (ECF No. 41).

On February 11, 2019, the Court denied Plaintiffs' motion without prejudice on the basis that the red-lined version of their Proposed SAC (ECF No. 29-2) failed to comply with Local Rule 15.1. (See ECF No. 40). That red-lined document was overly inclusive insofar as it displayed both substantive and formatting changes from the First Amended Complaint, making additions and deletions difficult to view. Plaintiffs appreciate Local Rule 15.1's goal of increasing efficiency and conserving judicial resources, and it was not Plaintiffs' intention in filing its motion for leave to frustrate that purpose.

Plaintiffs have attached to this Motion a red-lined version of the Proposed SAC which they believe satisfies the Court's concerns. Plaintiffs now request that the Court grant Plaintiffs' Motion

Motion for Leave to File Second Amended Complaint

Belardo et al v. Bank of Nova Scotia; 2018-CV-8

Page 3

based on consideration of the already-completed briefing as well as the red-lined proposed SAC attached hereto.

For the reasons identified above, Plaintiffs ask that the Court grant Plaintiffs' Motion for Leave to File Second Amended Complaint in its entirety.

DATED: February 12, 2019 Respectfully Sumitted:

By: /s/ Korey Nelson

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Motion for Leave to File Second Amended Complaint

Belardo et al v. Bank of Nova Scotia; 2018-CV-8 Page 3

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of February, 2019, I electronically filed the foregoing with the Clerk of the Court using CM/ECF System, which will send a notification of such filing (NEF) to the following:

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